

Camden County Planning Board
Minutes
May 20, 2009, 7:00pm
Downstairs Main Courtroom
Camden County Courthouse Complex

Members Present: Chairman Rodney Needham, Absent: Vice Chairman Terri Griffin,
Fletcher Harris, Ray Albertson
Calvin Leary,
Michael Etheridge,
John Aydlett

Call to Order & Welcome

Chairman Rodney Needham called to order the May 20, 2009 meeting at 7:00 PM. Due to scheduling conflicts with the Historic Courtroom, the Planning Board met in the Camden County Main Courtroom this evening.

Others Present at Meeting

STAFF PRESENT

Name:	Title:
Dan Porter	Director of Planning
Dave Parks	Permit Officer/Flood Administrator
Amy Barnett	Planning Clerk/Clerk to the Board

OTHERS PRESENT

Name and Town of Residence:	Title:	Purpose / Representing	Meeting Section
James Burnham, South Mills, NC	Land Owner	Special Use Permit - Albemarle Electric Membership Coop	New Business Item # 1
Gary Ray, Edenton, NC	Manager of Engineering, AEMC	Special Use Permit - Albemarle Electric Membership Coop	New Business Item # 1
David Huffstetler, Raleigh, NC	Engineer, AEMC	Special Use Permit - Albemarle Electric Membership Coop	New Business Item # 1
George Tarkington, Camden, NC	Agent for Applicant	Special Use Permit - South Camden Fire Department	New Business Item # 2

Consideration of Agenda

Chairman Rodney Needham called for the consideration of the agenda. Dan Porter mentioned an addition to the agenda, Special Use Permit Application for South Camden Fire Department for a new Fire Station. Chairman Rodney Needham called for a vote to approve amending the agenda to include this item as New Business Item # 2. The amended agenda was approved with Chairman Rodney Needham, Members Fletcher Harris, Calvin Leary, Michael Etheridge, and John Aydlett voting aye; none voting no; 2 absent; none not voting.

34 **Consideration of the Minutes- April 15, 2009**

35
36 Chairman Rodney Needham called for the consideration of the minutes from the April 15,
37 2009 meeting. John Aydlett made a motion to approve the minutes from the aforementioned
38 meeting as written. Fletcher Harris seconded the motion. The motion was approved with
39 Chairman Rodney Needham, Members Fletcher Harris, Calvin Leary, Michael Etheridge,
40 and John Aydlett voting aye; none voting no; 2 absent; none not voting.

41
42 **Comments from the Public.**

43
44 None.

45
46 **Old Business**

47
48 None.

49
50 **New Business**

51
52 ***Item # 1, Special Use Permit Application (UDO 2009-04-22) - Albemarle Electric***
53 ***Membership Corporation for Utility Facility***

54
55 -----
56 **Special Use Permit**
57 **UDO 2009-04-22**
58 **Findings of Facts**
59

- 60 **1. Name of Applicant:** Albemarle Electric Membership Corporation
61 **2. Agent for Applicant:** Gary Ray
62 **3. Address of Agent:** P.O. Box 69
63 Hertford, NC 27944
64 **4. PIN:** 01-7989-00-47-2311
65 **5. Name(s) of Current Owner(s) of Record:** James Burnham
66 **6. Street Address of Property:** Adjacent to 1510 North 343
67 **7. Location of Property:** South Mills Township
68 **8. Flood Zone:** X
69 **9. Zoning District(s):** Basic Residential (R3-2)
70 **10. Is a Zoning Change Required for the Proposed Use?** No.
71 **11. General Description of the Proposal:** Utility Facility
72 **12. Table of Permissible Use #:** 17.200
73 **13. Date Application Received by County:** April 16, 2009
74 **14. Did the Applicant participate in a pre-application Conference?** Yes
75 **15. Received by:** Dave Parks, Permit Officer
76 **16. Application fee paid:** \$400.00 by check # 041146
77 **17. Completeness of Application:** Application is generally complete.

78 **18. Documents received upon filing application or otherwise included:**

79 **A.** Land Use/Development Application

80 **B.** Agent for applicant letter

81 **C.** GIS Map w/ aerial photo

82 **D.** Site Plan

83 **19. Soil Classifications:**

84 **Predominant:** Roanoke (RoA) Severe wetness; percs slowly

85 **Other:** Cape Fear (CfA) Severe wetness

86 **20. Adjacent Property Uses:**

87 **A. Predominant:** Farm Land

88 **B. Other:** Residential/Woodland

89 **21. Existing Land Uses:** Farm Land

90 **22. Lots size:** 3.24 acres

91 **23. Open Space:**

92 **A.** Is open space proposed? No.

93 **24. Utilities:**

94 **A.** Does the application include a letter or certificate from the District Health
95 Department regarding septic tanks? N/A

96 **B.** Does the applicant propose the use of public sewage systems? N/A.

97 **C.** Does the applicant propose the use of public water systems? N/A.

98 **D.** Distance from existing public water supply system: N/A.

99 **E.** Is the area within a five-year proposal for the provision of public water?
100 Existing.

101 **F.** Is the area within a five-year proposal for the provision of public sewage? Yes.

102 **25. Landscaping:**

103 **A.** Is any buffer/landscaping required? In accordance with Article 151.139 proposed use
104 requires Broken Landscaping Type C. Due to the nature of proposed use, staff feels
105 Type C landscaping could be potentially dangerous to the use. Applicant to provide a
106 Landscaping Plan that was agreeable to all parties that would reflect the separation as
107 required in the Type C Landscaping requirements and would not have a negative
108 impact on the development. Buffering/landscaping required on the eastern, southern,
109 and western portion of the fence line/property.

110 **26. Findings Regarding Additional Requirements:**

111 **A. Endangering the public health and safety:** Staff feels that the proposed use will
112 not endanger the public health and safety.

113 **B. Injure the value of adjoining or abutting property:** The proposed use does not
114 appear to injure the value of adjoining or abutting property.

115 **C. Harmony with the area in which it is located:** Yes.

116 **D. Conformity with the Plans:**

117 **1. Land Use Plan:** Yes.

118 **2. Thoroughfare Plan:** Property abuts North Highway 343.

119 **3. Other plans officially adopted by the Board of Commissioners:** None

E. Will not exceed the county's ability to provide public facilities:

1. Schools: N/A.

2. Fire and Rescue: No.

3. Law Enforcement: No.

Other County Facilities: None.

F. Other: None.

Staff recommends approval with the following conditions:

1. The applicant must strictly abide by all requirements of the Unified Development Ordinance of Camden County, North Carolina, and must also strictly comply with all other local, state, and federal ordinances, laws, rules and regulations as one or more ordinances, laws, rules and regulations may apply to this development.
2. The applicant shall complete the development strictly in accordance with the plans approved by the Board of Commissioners of Camden County, North Carolina, and contained in the file titled UDO 2009-04-22.
3. Developer shall provide one copy of as built plans certifying drainage improvements installed.
4. Developer shall provide landscaping plan for approval prior to any land disturbing activity. Plans shall include the placement of Red Photinia shrubs along the southern buffer area.
5. If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this approval in its entirety shall be void and have no effect.

Dave Parks briefly described this Special Use Permit application as shown in the findings of facts above. Also, the site plan for this location was shown on the projector screen. This application is from Albemarle Electric Membership Corporation for a Utility Facility to be placed on property owned by Mr. James Burnham.

Mr. Gary Ray, Manager of Engineering with Albemarle Electric Membership Corporation, and agent for the applicant spoke after Mr. Parks. Mr. Ray indicated the reasons for needing this facility (listed below):

- Improve power reliability in the South Mills area
 - South Mills residents on AEMC systems fed from Dominion line out of Elizabeth City
 - Dominion line went down at least 4 times this past winter because of:
 - High loads
 - Much needed maintenance to the Dominion line
- Provide a new substation for said area
 - Will be fed from AEMC power lines not Dominion
 - Over 1000 South Mills customers will benefit from this new substation

162 Dave Parks mentioned that a drainage plan has been submitted and approved, and that the
163 erosion/sedimentation control plan and stormwater permit have been submitted to the
164 Planning Department.

165
166 Dave Parks indicated the location of the landscaping to be utilized with this project.

167
168 Dave Parks indicated staff's recommendation for approval with conditions as listed in the
169 findings of facts, then read those conditions for the record.

170
171 Regarding condition number 4, the applicant has submitted the landscaping plan. Also, the
172 ordinances require trees for landscaping, however as indicated in the findings of fact "Due to
173 the nature of proposed use, staff feels Type C landscaping could be potentially dangerous to
174 the use.", staff said shrubs could be utilized in the landscaping. David Huffstetler, the
175 Engineer for Albemarle Electric Membership Corporation, said that they could not get Red
176 Photinias, as required in the conditions, due to blight disease of the plants, and would like to
177 use Japanese Privot instead.

178
179 Chairman Rodney Needham asked how far off of Hwy 343 this substation would be placed.
180 Mr. Gary Ray responded that it would be adjacent to Hwy 343, in the right of way. Dave
181 Parks added that there is a 75 foot setback required. Landscaping around the substation fence
182 will be fence high.

183
184 One of the Board members asked if the retention pond had to be fenced in. Dave Parks
185 responded that there was no requirement for fencing the retention pond.

186
187 Chairman Rodney Needham asked how deep the retention pond was. Mr. Gary Ray
188 responded that it was 3 feet deep.

189
190 Board member John Aydlett mentioned a possible concern with not fencing the retention
191 pond is that children could possibly get into the pond to play and get into trouble. Dave
192 Parks responded that this is unlikely due to the fact that there is limited residential housing in
193 the area.

194
195 Chairman Rodney Needham asked if there were any more questions or concerns from the
196 Board. Hearing none, he entertained a motion. Michael Etheridge made a motion to approve
197 Item # 1, Special Use Permit Application (UDO 2009-04-22) - Albemarle Electric
198 Membership Corporation for Utility Facility, with the recommended conditions set forth in
199 the findings of facts, except for the type of shrubbery (which shall be changed to Japanese
200 Privot as requested by the applicant). John Aydlett seconded the motion. The motion was
201 approved with Chairman Rodney Needham, Members Fletcher Harris, Calvin Leary, Michael
202 Etheridge, and John Aydlett voting aye; none voting no; 2 absent; none not voting.

***Item #2, Special Use Permit Application (UDO 2009-05-16) - South Camden Fire
Department for New Fire Station at 1061 South 343***

**Special Use Permit
Findings of Facts**

UDO 2009-05-16

- 1. Name of Applicant:** South Camden Fire Station
- 2. Agent for Applicant:** George Tarkington
- 3. Address of Applicant:** 317 North NC 343, Camden, North Carolina 27921
- 4. File Reference:** UDO 2009-05-16
- 5. PIN:** 03-8963-00-51-4172-0000
- 6. Street Address of Property:** 1061 South NC 343, Camden, North Carolina 27921
- 7. Location of Property:** Shiloh Township
- 8. Flood Zone:** Shaded X
- 9. Zoning District(s):** General Use (GU)
- 10. Is a Zoning Change required for the Proposed Use?** No
- 11. General Description of the Proposal:** Fire Station
- 12. Use Classification:** Article 151.334 (Use # 13.200)
- 13. Date Application Received by County:** May 19, 2009
- 14. Received by:** Dave Parks, Permit Officer
- 15. Application Fee Paid:** Waived
- 16. Completeness of Application:** Application appears to be complete.
 - A. Items Needed:** None
- 17. Documents Received Upon Filing Application or otherwise included:**
 - A.** Land Use Application
 - B.** Sight Plan - Conceptual
 - C.** Aerial Photo
- 18. Adjacent Property Use:** Agriculture/Residential
- 19. Existing Land Use:** Agriculture
- 20. Lot size:** 3 acres
- 21. Utilities:**
 - A. Does the application include a letter or certificate from the District Health Department regarding septic tanks?** Perc test was completed at sub-division (attached).
 - B. Does the applicant propose the use of public sewage systems?** No
 - C. Does the applicant propose the use of public water systems?** Yes
 - D. Distance from existing public water supply system:** Adjacent to property
 - E. Is the area within a five-year proposal for the provision of public water?** N/A
 - F. Is the area within a five-year proposal for the provision of public sewage?** No

245 **22. Streets**

246 **A. Are all streets designed to be place under State system?** N/A

247 **B. Are proposed streets named?** N/A

248 **C. Street names:** N/A

249 **D. Are any street names already being used elsewhere in the County?** N/A

250 **23. Landscaping**

251 **A. Is any buffer required?** Yes. Broken Landscaping – Type C

252 **B. Is any landscaping described in application:** No

253 **24. Findings Regarding Additional Requirements**

254 **A. Endangering the public health and safety:** Staff feels that the proposed use does not
255 endanger the public health and safety.

256 **B. Injure the value of adjoining or abutting property:** Staff feels that the development
257 will not injure the values of adjoining or abutting property.

258 **C. Harmony with the area in which it is located:** Proposed use is in harmony with the
259 area in which located.

260 **D. Conformity with the Plans**

261 (1). Land Use Plan – Project is in conformity with Land Use Plan.

262 (2). Thoroughfare Plan – Project is in conformity with the Thoroughfare Plan

263 (3). Other Plans officially adopted by the Board of Commissioners – N/A

264 **E. Will not exceed the county's ability to provide public facilities**

265 (1). Schools – N/A

266 (2). Fire and rescue – Project will increase the county's ability to provide fire and
267 rescue

268 (3). Law Enforcement – N/A

269 **F. Other County Facilities – N/A**

270
271 **Staff recommends approval with the following conditions:**

- 272
- 273 1. The applicant must strictly abide by all requirements of the Unified Development
 - 274 Ordinance of Camden County, North Carolina, and must also strictly comply with all
 - 275 other local, state, and federal ordinances, laws, rules and regulations as one or more
 - 276 ordinances, laws, rules and regulations may apply to this development.
 - 277 2. The applicant shall complete the development strictly in accordance with the plans
 - 278 approved by the Board of Commissioners of Camden County, North Carolina, and
 - 279 contained in the file titled UDO 2009-05-16.
 - 280 3. Prior to any land disturbing activity, applicant shall provide copies of approved Erosion
 - 281 & Sedimentation Control Plan, Storm Water Permit from DENR, and drainage plan
 - 282 approved by County Engineer.
 - 283 4. Applicant shall provide landscaping plan "Type C" in accordance with Article 151.136
 - 284 (General Landscaping).
 - 285 5. If any of the conditions affixed hereto or any part thereof shall be held invalid or void,
 - 286 then this special use permit shall be voided and have no effect.
- 287 -----

288
289 Mr. Dan Porter described this special use permit, and read details as listed in the findings of
290 facts above.

Mr. Porter noted that there were a few things yet to be accomplished with regard to this project. Those items are listed in condition numbers 3 and 4 in the findings of fact shown on the previous page.

At this time, Mr. Dave Parks showed the property on the projection screen and described the property. He noted the following:

- Located on South 343 just past Holland Road
- Minor Adjustments to the Site Plan
 - Structure needs to be moved back 25 feet to be in compliance or obtain a variance to stay at the present location noted on the current site plan
 - Dan Porter noted the following with regard to added setback
 - There is room to allow for an increased setback
 - Impacts would be:
 - (1) Cost
 - (2) More Concrete
 - (3) Additional impervious surfaces and impacts to the retention pond
 - (4) Would put the helicopter pad further back and off to the side, but could still accomodate it.
 - Stormwater Drainage Plan has yet to be submitted, so the impacts above would need to be incorporated into the plan if the additional setback is utilized. Notes:
 - (1) Dimensions of retention pond are unknown at this point
 - (2) Impervious to non-impervious surface ratio would be on the high side for a 3 acre lot if additional setback is used.
 - a. Includes both concrete driveways and sidewalks and rooftop surfaces
 - b. County regulations require it to be able to handle a 10-year storm

Dave Parks noted that condition #4, which deals with landscaping, was not needed since landscaping was already included on the site/concept plan. Mr. Parks then indicated that condition number 4 would be striked out.

Chairman Rodney Needham asked if there were any further questions or comments from the board, hearing none, he entertained a motion. Calvin Leary made a motion to approve Item #2, Special Use Permit Application (UDO 2009-05-16) - South Camden Fire Department for New Fire Station at 1061 South 343 with the change to the conditions striking out condition number 4 dealing with landscaping. Michael Etheridge seconded the motion. The motion was approved with Chairman Rodney Needham, Members Fletcher Harris, Calvin Leary, Michael Etheridge, and John Aydtlett voting aye; none voting no; 2 absent; none not voting.

After the vote had taken place, Mr. Dan Porter mentioned that there were products on the market that would act as pervious surfaces which would allow water to drain, similar to the checkerboard open style bricks laid in parking lots on the Outer Banks.

337 **Information from Board and Staff**

338
339 **Board of Commissioners Approvals:**

340 Sketch Plan Phase 5 Pine Ridge Major Subdivision UDO 2009-02-06

341 Special Use Permit Camden Realty Group for Shopping Center UDO 2009-03-05

342 Request for Amendments to Conditional Use Permit - E & J Holdings

343
344 Water Line Issue was tabled by Board of Commissioners at May 18 meeting.

345
346 A discussion of water lines and requirements for hookup took place among the Planning
347 Board members and staff.

348
349 **Consider Date of Next Meeting – June 17, 2009**

350
351
352 **Adjournment**

353
354 At 7:35 PM, Michael Etheridge made a motion to adjourn the meeting. John Aydllett
355 seconded the motion. The motion was approved with Chairman Rodney Needham, Members
356 Fletcher Harris, Calvin Leary, Michael Etheridge, and John Aydllett voting aye; none voting
357 no; 2 absent; none not voting.

358
359
360
361 Date: _____

362
363
364 Approved: _____
365 Chairman Rodney Needham

366
367
368 Attested: _____
369 Amy Barnett, Planning Clerk